

Interview Summary

On January 17, 2008, the Applicant's representative participated in a telephonic interview with Examiner Shambhavi Patel and the Supervisory Examiner, Dr. Hugh Jones. As a first point of clarification, the Examiner's Interview Summary incorrectly lists the telephonic conference as being participated by Marcus Frecell. The Examiner has incorrectly pronounced the name of the Applicant's representative. Marcus Risso participated in the telephonic interview. Marcus Risso is a patent attorney of record under the customer number assigned to this case, Customer Number 28848.

Applicant's representative submitted that the affidavit was sufficient to overcome the prior art rejection. The Examiner requested that the affidavit use the word "conception" instead of "written description." Although disputed by the Applicant's representative, the Examiner also stated that proof of diligence was needed. The Examiner further suggested that Applicants resubmit the declaration and relevant argument; however, no agreement was reached.

REMARKS/ARGUMENTS

This reply is fully responsive to the Office Action dated 27 SEPTEMBER 2007, and is filed within four - (4) months following the mailing date of the Office Action. The
5 Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed. The method of payment and fees for petition fee due in connection therewith is enclosed.

Objection/Rejection Summary:

10 This application has been carefully reviewed in light of the Office Action of September 27, 2007, wherein:

A. Claims 1-9, 11-26, 28-43, 45-60, and 62-68 were rejected under 35 U.S.C. § 102(a) as being anticipated by Thompson et al. ("Evaluation of Bayesian Networks Used for
15 Diagnostics," IEEE Aerospace Conference, March 2003, hereinafter referred to as the "Thompson article").

Claim Rejections - 35 USC § 102(a)

A. In the current Office Action, the Examiner rejected Claims 1-9, 11-26, 28-43, 45-60,
20 and 62-68 under 35 U.S.C. § 102 (a) as being clearly anticipated by the Thompson article.

Regarding the rejections of independent Claims 1, 18, 35, and 52 over the Thompson article**The cited prior art does not establish a prima facie case of anticipation**

25 In order to establish a prima facie case of anticipation the Examiner must set forth an argument that provides (1) a single reference (2) that teaches or enables (3) each of the claimed elements (as arranged in the claim) (4) either expressly or inherently and (5) as
30 interpreted by one of ordinary skill in the art. All of these factors must be present, or a case of anticipation is not met.

The Applicants assert that the Examiner has failed to establish a single reference that teaches or enables each of the elements of the claimed invention. Specifically the Applicants submit that the Examiner has failed to set forth a prima facie case of anticipation because Applicants firmly believe that that the present invention was conceived prior to the publication date of the Thompson article, and as such, the Thompson article should not be considered prior art with respect to the present invention.

The Thompson article should not be considered prior art with respect to the present invention

The Applicants assert that the Thompson article is an academic publication that was published on the IEEE Aerospace Conference Proceedings, on March, 2003. The Applicants further emphasize that the present invention was conceived prior to the publication date of the Thompson article. As sworn to in the attached and newly updated 37 CFR 1.131 declaration signed by the inventor, **the present invention was invented as early as March 4, 2002** (a year before the publication date of the Thompson article) when the inventors, Wojtek Przytula and Denver Dash first completed a conception of the invention (as evidenced by sheet 2, section 3 of the Invention Disclosure, included herewith as Appendix A), **was diligently pursued until its “actual reduction to practice” on September 13, 2002** (as evidenced by sheet 2, section 4 of the Invention Disclosure).

Because the present invention was invented at least as early as March 4, 2002 (date of conception) and was actually reduced to practice on September 13, 2002 (date of actual reduction to practice as authenticated by the signed declaration), the present invention was conceived prior to the effective date of the Thompson article (March 2003). **Thus, the Applicants strongly believe that with the attached §1.131 declaration, the Thompson article can no longer be considered prior art with respect to the present invention.**

(a) **Regarding the Applicants' response and Affidavit submitted August 23, 2007.**

The Examiner stated that the Examiner found the declaration under 37 CFR 1.131, filed
5 along with the Applicants response on August 23, 2007, to be ineffective to overcome the
Thompson article. The Examiner stated that "seven months (attributed by the Applicants
to diligence by attorney) is a substantial amount of time, and no evidence has been
submitted to support this claim." The Examiner noted that "it appears that the
10 Applicant's representative is making statements on behalf of the Applicant that are not
supported/contained in the declaration," and that "it was still not clear as to whether or
not the Applicants pursued the invention until constructive reduction to practice or to an
actual reduction to practice."

In order to avoid any further confusion regarding the declaration under 37 CFR 1.131,
filed along with the Applicants response on August 23, 2007, the Applicants
15 representative conducted a telephonic interview with the Examiner, Shambhavik Patel, on
January 2008. During the telephonic interview, the Examiner suggested that, prior to
resubmitting the declaration, the Applicants should modify the current declaration under
37 CFR 1.131 (that is to be signed by the inventors) to include a mapping of the claims to
the Invention Disclosure, and that the declaration should be revised to make it clear as to
20 whether or not "constructive reduction to practice" or "actual reduction to practice" is
being claimed.

Pursuant to the Examiner's suggestions, the Applicants have modified the declaration
under 37 CFR 1.131 to include a one-to-one mapping of the claims to the Invention
Disclosure prior to having the inventors sign the updated declaration. **The Applicants**
25 **have further modified the declaration to make absolutely clear that the present**
invention was conceived at least as early as March 4, 2002 and was diligently
pursued until its "actual reduction to practice" on September 13, 2002 (as evidenced
by sheet 2, section 4 of the Invention Disclosure).

The Applicants trust that these modifications to the declaration will end the confusion

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generated by any previous submitted declarations under 37 CFR 1.131, and the Applicants hope that this will satisfy all of the Examiner's issues and rejections, so that the Examiner consider the currently submitted declaration under 37 CFR 1.131 to be effective to overcome the Thompson article.

5 **(b) Regarding the Examiner's statement that "seven months is a substantial amount of time."**

As noted above, the present invention was conceived as early as March 4, 2002 and was diligently pursued until an actual reduction to practice on September 13, 2002.

10 Approximately SIX MONTHS exist between the date of conception and the date of actual reduction to practice. As can be appreciated by one skilled in the art, six months from conception to the actual reduction to practice to a device embodying an invention is a remarkably small amount of time and would provide sufficient evidence of diligence in the reduction to practice. Further, as authenticated in the attached declaration under
15 1.131, the present invention was conceived and diligently pursued with a purpose of its actual reduction to practice on September 13, 2002. Additionally, the invention was subsequently pursued with reasonable diligence until its filing date.

In response to our previous declaration under 1.131, the Examiner raised an issue of
20 diligence. The Applicants direct the Examiner to MPEP §715.07(a). As noted, "Under 37 CFR 1.131, the critical period in which diligence must be shown begins just prior to the effective date of the reference or activity and ends with the date of a reduction to practice, either actual or constructive (i.e., filing a United States patent application). Note, therefore, that only diligence before reduction to practice is a material consideration. The
25 'lapse of time between the completion or reduction to practice of an invention and the filing of an application thereon' is not relevant to an affidavit or declaration under 37 CFR 1.131. emphasis added. (citing, *Ex parte Merz*, 75 USPQ 296 (Bd. App. 1947)" See MPEP § 715.07(a).

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As applied to the present case, the present invention was conceived and diligently pursued until the actual reduction to practice on September 13, 2002. Thus, as clearly set forth in MPEP 715.07(a), the lapse of time between September 13, 2002 and the filing of the application thereon is irrelevant to the declaration under 1.131. Therefore, given the facts at hand, the present invention was conceived at least as early as March 4, 2002, and was diligently pursued until its actual reduction to practice on September 13, 2002. Finally, as supported by the MPEP, the time period between September 13, 2002 and the filing date is irrelevant.

Nevertheless, it should be noted that although the time period is irrelevant, the present invention was also diligently pursued until its filing date. Specifically, it has been held that waiting on an attorney to draft and file a patent application is diligent. Reasonable diligence is all that is required of the attorney. *Bey v. Kollonitsch*, 866 F.2d 1024, 231 USPQ 967 (Fed. Cir. 1986). Reasonable diligence is established if attorney worked reasonably hard on the application during the continuous critical period. See *id.* If the attorney has a reasonable backlog of unrelated cases which he takes up in chronological order and carries out expeditiously, that is sufficient. See *id.*

As applied to the present case and as authenticated with the signature below, the Applicants' attorney was in the process of preparing the patent application until the filing date. The Applicants' attorney had a reasonable backlog of unrelated cases and took up the cases in chronological order and diligently and expeditiously carried out the cases until their respective filing dates. Thus, the present application was diligently prepared by the attorney until its filing date. However, as noted in MPEP 715.07(a), this time is irrelevant to the issue at hand.

(c) Regarding the Examiner's statement that "it appears that the Applicant's representative is making statements on behalf of the Applicant that are not supported/contained in the declaration."

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The Applicants submit that in the Office Action dated April 20, 2007, the Examiner stated that “the only evidence of conception is the document that is dated September 23, 2002 (referring to the entire Invention Disclosure), and that no earlier evidence of conception by Applicant’s own admission has been presented (referring to sheet 3 sections 6 and 7 of the Invention Disclosure).” The Applicants further submit that as a response to the Examiner referring above to “sheet 3 sections 6 and 7 of the Invention Disclosure” as the section on the Invention Disclosure containing the “evidence of earlier conception,” the Applicants submitted during the response filed August 23, 2007, that “the Examiner was mistakenly equating ‘evidence of earlier conception’ with ‘related external publications and product embodying inventions that were disclosed prior to the Invention Disclosure date of 9/23/2002’ (referring to sheet 3, sections 6 and 7 of the Invention Disclosure).”

The Applicants further submitted during the response filed August 23, 2007, that by the inventor’s own admission on sections 6 and 7 of the Invention Disclosure, the inventors stated that there was no publication or public presentation related to the invention prior to 9/23/2002; there were no related Invention Disclosures or patent applications prior to 9/23/2002; there were no proposals or reports or other documents relating to this invention prior to the present Invention Disclosure filed 9/23/2002; the invention had not been used inside or outside the company, or discussed, demonstrated, or otherwise disclosed outside the company (such as to a vendor) prior to 9/23/2002; there was not a product embodying the invention or made by the invention been proposed, sold or offered for sale prior to 9/23/2002; and there was not a product embodying the invention or made by the invention in a deliverable item prior to 9/23/2002.

The Applicants now submit that during this current Office Action, the Examiner is objecting to the previous statements by stating that “the Applicant’s representative is making statements on behalf of the Applicant that are not supported/contained in the declaration.” This is entirely inaccurate as the statements are included within the Invention Disclosure as signed by the inventors. However, to clarify the issue further, the Applicants have modified the current declaration under 37 CFR 1.131 to include

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the following statement by the inventors: "As noted on sheet 2, sections 6 and 7, at the time of preparing the Invention Disclosure, we were unaware of any publications or public presentations related to the invention," (as authenticated by the signed declaration).

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In addition, the **Applicants submit that the Applicants' representative is only quoting direct statements made by the inventors in the Invention Disclosure** (as evidenced by the Invention Disclosure, included herewith), **and as such, these statements do not need further support since these statements are already supported and contained in the**

10 **Invention Disclosure which is signed by the inventors.** Therefore, the Applicants respectfully request that the Examiner withdraw his rejections based on the statement that the Applicant's representative is making statements on behalf of the Applicant that are not supported/contained in the declaration.

Accordingly, the Applicants resubmit that, by the inventors' own admission on sheet 2, section 3a of the Invention Disclosure, the inventors clearly stated that **the first written description and drawings of the present invention (earliest evidence of conception) were made by Krzysztof W. Przytula on March 4, 2002 at HRL Laboratories, Bldg 254, Room 4G26,** and that by the inventors' own admission on section 4 of the Invention Disclosure, the inventors clearly stated that **a device embodying the invention was constructed and tested (or the process was practiced), wherein the construction of the device started on March 28, 2002, and the device was completed on September 13, 2002, when the invention was reduced to actual practice.** The Applicants further submit that the inventors stated on the Invention Disclosure that on September 23, 2002, the device embodying the invention was located at HRL Laboratories, Bldg 254, Room 4G26, as evidence by sheet 2 section 4 of the Invention Disclosure. In addition, by the inventors' own admission on section 4c of the Invention Disclosure, **the inventors clearly stated that on September 23, 2002, several documents (dated, signed, and witnessed), including photos, drawings, and data sheets showing reduction to practice of the present invention** were located at HRL Laboratories, Bldg. 254, Room 4G26, as evidence by sheet 2 section 4 of the Invention Disclosure

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Therefore, the Applicants submit that there is clear evidence of earlier conception (earlier than September 23, 2002) on sheet 2 sections 3 and 4 of the Invention Disclosure, where the inventors stated that the first written description and drawings of the present invention (earliest evidence of conception) were made by Krzysztof W. Przytula on March 4, 2002, and that the inventors began the construction of a device embodying the invention on March 28, 2002, and completed the device on September 13, 2002 (date of actual reduction to practice).

The Applicants emphasize that all of these dates above, (March 4, 2002, earliest evidence of conception of present invention; March 28, 2002 to September 13, 2002, implementation of a device embodying the present invention; and September 23, 2002, day the Invention Disclosure was dated, signed, witnessed, and stamped at HRL Laboratories), preceded the publication date of March 2003, when the Thompson article was first published. The Applicants firmly submit that the date of the Invention Disclosure (September 23, 2002) alone proves that the present invention was conceived at least six months prior to the publication date of the Thompson article, as evidenced by the Invention Disclosure and authenticated by the signed declaration.

(d) Regarding “evidence of actual reduction to practice” and the mapping of the provided exhibit, Invention Disclosure, to the claims.

(i) “Evidence of actual reduction to practice”

The Applicants submit that **the Invention Disclosure clearly presents graphs and plots (referring to sheets 12 to 16 of the Invention Disclosure; Appendix A) illustrating the results obtained with a software implementation of the present invention**, and that the Examiner should reconsider the Examiner’s statement that “the Applicants have not submitted any evidence of actual reduction to practice.” Furthermore, **the Applicants assert that evidence of the “actual reduction to practice” can be found on sheet 17 of the Invention Disclosure, which includes a description of an implementation of the present invention, including experimental results, as authenticated by the signed**

declaration under 37 CFR 1.131.

Furthermore, the Applicants refer the Examiner to the statements above which included further evidence of actual reduction to practice, and which show that by the inventors' own admission on section 4 of the Invention Disclosure, a device embodying the invention was constructed and tested (or the process was practiced). As noted in the attached Invention Disclosure, the construction of the device started on March 28, 2002, and the device was completed on September 13, 2002, when the invention was reduced to actual practice; the device embodying the invention was located at HRL Laboratories, Bldg 254, Room 4G26; and several documents (dated, signed, and witnessed), including photos, drawings, and data sheets showing reduction to practice of the present invention were located at HRL Laboratories, Bldg. 254, Room 4G26, as evidence by sheet 2 section 4 of the Invention Disclosure. Thus, the attached Invention Disclosure illustrates evidence of actual reduction to practice, through the experimental results and documentary evidence of the reduction to practice.

(ii) **"Mapping of the provided exhibit, Invention Disclosure, to the claims"**

The Applicants submit that there is correspondence (mapping) between the claims of the present invention and its Invention Disclosure, and that **the Invention Disclosure (i.e., Appendix A) provides support for the subject matter in all of the claims of Patent Application No. 10/692,697, as authenticated by the signed declaration.**

For example, the Applicants submit that independent Claim 1 discloses a method for automatically evaluating Bayesian network models for decision support. Claim 1 includes an act of receiving a Bayesian Network (BN) model including evidence nodes and conclusion nodes, where the conclusion nodes are linked with the evidence nodes by causal dependency links, and where the evidence nodes have evidence states and the conclusion nodes have conclusion states. This corresponds to the description of the BN model on sheet 8. The relevant portion of the Invention Disclosure (Appendix A) states that "the invention is a method for evaluation of the Bayesian Network (BN) model and the decision domain" (referring to sheet 8, lines 1 to 2 of the Invention Disclosure).

Thus, a Bayesian Network consists of evidence nodes, also known as observation nodes (nodes whose state can be observed to obtain evidence), and conclusion nodes, also known as failure nodes (nodes whose resulting state reflects either failure or success).

Claim 1 also discloses an act of “setting the states of the conclusion nodes (referred to as
5 ‘failure nodes’ on the Invention Disclosure) to desired conclusion states and determining, by propagating down the causal dependency links, a corresponding probability of occurrence of evidence states of the evidence nodes (referred to as ‘observation nodes’ on the Invention Disclosure) and producing, from the probability of occurrence, a plurality of samples of most likely states of the evidence nodes (referred to as ‘observation nodes’
10 on the Invention Disclosure).” This corresponds to the Failure propagation step disclosed by the Invention Disclosure on sheet 8, lines 16 to 25. Specifically, the Invention Disclosure states (referring to sheet 8, lines 16 to 25) that “in failure propagation step we perform the following computation steps: (a) select one or more specific failures (this corresponds in Claim 1 “to select desired conclusion state”); (b) in the BN we set the
15 states of nodes representing the failures to defective and set the states of the remaining failure nodes that are the root nodes of the BN to the state non-defective (this corresponds in Claim 1 to “setting the states of the conclusion nodes, failure nodes, to desired conclusion states”); (c) determine the state of the remaining nodes using Monte Carlo simulation, find the next node in the list of temporally ordered nodes, and using BN
20 inference, calculate the posterior distribution of that node (evidence node) given the evidence so far (this corresponds in Claim 1 to “determining, by propagating down the causal dependency links, a corresponding probability of occurrence of evidence states of the evidence nodes”); and (d) determine the state of the node by Monte Carlo sampling of its posterior distribution and stop when states of all nodes (evidence nodes) have been
25 determined (this corresponds in Claim 1 to “producing, from the probability of occurrence, a plurality of samples of most likely states of the evidence nodes”).

Furthermore, independent Claim 1 discloses “setting the states of the evidence nodes to states corresponding to the plurality of samples of the evidence states, and propagating the evidence states back up the causal dependency links to the conclusion nodes, to

obtain a plurality of probabilities of the resulting states of the conclusion nodes.” This corresponds to the “diagnosis step” disclosed by the Invention Disclosure on sheet 8, lines 26 to 30. Specifically, the Invention Disclosure states (referring to sheet 8, lines 26 to 30) that the failure propagation step is followed by a diagnosis step, wherein the

5 diagnosis step consists of the following computation steps: (a) assume the states of all the observation nodes (evidence nodes) to be those determined in the failure propagation step (this corresponds in Claim 1 to “setting the states of the evidence nodes (observation nodes) to states corresponding to the plurality of samples of the evidence states”); and (b) compute posterior probability for all the failure nodes, not only the nodes selected as

10 “defective” in the failure propagation step, given the states of the observation nodes (evidence nodes) (this corresponds in Claim 1 to “propagating the evidence states back up the causal dependency links to the conclusion nodes or failure nodes, to obtain a plurality of probabilities of the resulting states of the conclusion nodes or failure nodes”).

15 In addition, independent Claim 1 discloses “outputting a representation of the plurality of the probabilities of the states of the conclusion nodes.” This corresponds to the “visualization step” disclosed by the Invention Disclosure on sheet 9, lines 1 to 22. Specifically, the Invention Disclosure states (referring to sheet 9, lines 1 to 4) that the failure propagation step and the diagnosis step are followed by a third step, the

20 visualization step, which is performed when all the computations for the first two steps are completed. The Invention Disclosure further states that there are two outputs produced by the visualization step complete graph for failure probabilities, and 2D and 3D matrices of averaged failure probabilities (this corresponds in Claim 1 to “outputting a representation of the plurality of the probabilities of the states of the conclusion

25 nodes”). The Applicants further submit that the Invention Disclosure clearly presents graphs and plots (referring to sheets 12 to 16 of the Invention Disclosure) illustrating the results obtained with a software implementation (reduction to practice) of the present invention, which clearly correspond to “outputting a representation of the plurality of the probabilities of the states of the conclusion nodes,” as disclosed by Claim 1.

Regarding independent Claims 18, 35, and 52, the Applicants direct the Examiner to the comments above concerning the correspondence of independent Claim 1 with the Invention Disclosure of the present invention. The Applicants submit that Claims 18, 35, and 52 disclose limitations, in a similar manner as Claim 1, that directly corresponds to the “failure propagation, diagnosis, and visualization steps” as described in the Invention Disclosure. The Applicants emphasize that independent Claims 1, 18, 35, and 52 clearly disclose a series of steps or acts that directly correspond to the “failure propagation, diagnosis, and visualization” steps taught by the Invention Disclosure. The Applicants further emphasize that these steps ultimately result on “outputting a representation of a plurality of the probabilities of the states of the conclusion nodes,” wherein this resulting plurality of probabilities stand alone on their own to evaluate Bayesian network models for decision support.

For at least the reasons stated above, the Applicants submit that the Invention Disclosure (i.e., Appendix A) provides support for each and every one of the claims in Patent Application No. 10/692,697, as authenticated by the signed declaration.

Therefore, because the Thompson article should not be considered prior art with respect to the present invention, for at least the reasons presented above, and because the prior art fails to teach all the elements of Claims 1, 18, 35, and 52, arranged exactly as in Claims 1, 18, 35, and 52, for reasons discussed above, the Applicants strongly believe that Claims 1, 18, 35, and 52 are patentable over the prior art, and the Applicants respectfully request that the Examiner withdraw this rejection under 35 U.S.C. § 102(a) and provide for timely allowance of Claims 1-68.

Dependent Claims**Examiner's rejection of dependent Claims 2-9, 11-17, 19-26, 28-34, 36-43, 45-51, 53-60, and 62-68.**

The Examiner stated that the Thompson article anticipates the limitations disclosed by the
5 Claims 2-9, 11-17, 19-26, 28-34, 36-43, 45-51, 53-60, and 62-68 of the present invention.

Regarding the rejections of the dependent Claims 2-9, 11-17, 19-26, 28-34, 36-43, 45-51, 53-60, and 62-68 over the Thompson article

Regarding Claims 2-9, 11-17, 19-26, 28-34, 36-43, 45-51, 53-60, and 62-68, the
10 Applicants direct the Examiner to the comments above concerning the rejection of the independent Claims 1, 18, 35, and 52 as being anticipated by the Thompson article.

Because the Thompson article should not be considered prior art with respect to the present invention and thus fails to teach all the elements of Claims 1, 18, 35, and 52, arranged exactly as in Claims 1, 18, 35, and 52, for reasons discussed above, the

15 Applicants strongly believe that Claims 1, 18, 35, and 52 are patentable over the prior art.

Furthermore, the Applicants submit that Claims 2-17 are dependent upon Claim 1, Claims 19-34 are dependent upon Claim 18, Claims 36-51 are dependent upon Claim 35, and Claims 53-68 are dependent upon Claim 52, and these dependent claims incorporate
20 all of the limitations of their respective independent Claims 1, 18, 35, and 52. For the reasons given above, the Applicants submit that Claims 1, 18, 35, and 52 are patentable. Therefore, in addition to the reasons set forth above, the Applicants submit that Claims 2-17, 19-34, 36-51, and 53-68 are also patentable under 35 U.S.C. § 102(a), at least based on their dependence upon an allowable base claim. In addition, Claims 2-17, 19-34, 36-
25 51, and 53-68 include additional limitations that further distinguish them from the reference cited. Therefore, the Applicants respectfully submit that Claims 2-17, 19-34, 36-51, and 53-68 are also allowable over the cited reference and request reconsideration and allowance of these claims.

CONCLUSION

The Applicants respectfully submits that in light of the above amendment/remarks, all claims are now in allowable condition. The Applicants thus respectfully requests timely allowance of all of the pending claims.

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Any claim amendments that are not specifically discussed in the above remarks are not made for patentability purposes, and it is believed that the claims would satisfy the statutory requirements for patentability without the entry of such amendments. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those skilled in the art to clearly understand the scope of the claim language. Furthermore, any new claims presented above are of course intended to avoid the prior art, but are not intended as replacements or substitutes of any cancelled claims. They are simply additional specific statements of inventive concepts described in the application as originally filed.

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Further, it should be noted that amendment(s) to any claim is intended to comply with the requirements of the Office Action in order to elicit an early allowance, and is not intended to prejudice Applicants' rights or in any way to create an estoppel preventing Applicants from arguing allowability of the originally filed claim in further off-spring applications.

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In the event the Examiner wishes to discuss any aspect of this response, or believes that a conversation with either Applicants or Applicants' representative would be beneficial, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

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The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to the attached credit card form. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed. The petition fee due

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in connection therewith may be charged to deposit account no. 50-2738 if a credit card form has not been included with this correspondence, or if the credit card could not be charged.

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Respectfully submitted,



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Cary Tope-McKay

Registration No. 41,350

Tel.: (310) 589-8158

Attachments:

Declaration under 1.131

15 Appendix A – Invention Disclosure